



General Assembly

February Session, 2008

Amendment

LCO No. 4953

SB0056104953SD0

Offered by:

SEN. HARRIS, 5th Dist.
REP. VILLANO, 91st Dist.
SEN. KISSEL, 7th Dist.
REP. GIBBONS, 150th Dist.
SEN. COLEMAN, 2nd Dist.
REP. ABERCROMBIE, 83rd Dist.

REP. DELGOBBO, 70th Dist.
REP. MAZUREK, 80th Dist.
REP. O'NEILL, 69th Dist.
REP. BERGER, 73rd Dist.
REP. STONE, 9th Dist.

To: Subst. Senate Bill No. 561

File No. 600

Cal. No. 398

"AN ACT CONCERNING THE MONEY FOLLOWS THE PERSON PROJECT."

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- 1 In line 5, bracket "may" and after the closing bracket insert "shall"
- 2 After the last section, add the following and renumber sections and
- 3 internal references accordingly:
- 4 "Sec. 501. (NEW) (*Effective July 1, 2008*) (a) Subject to the provisions
- 5 of subsection (b) of this section, the Commissioner of Social Services
- 6 shall establish and administer a demonstration project to provide
- 7 home and community-based, long-term care services modeled after
- 8 services provided under the Money Follows the Person demonstration
- 9 project pursuant to section 17b-369 of the 2008 supplement to the
- 10 general statutes for persons (1) who are eighteen years of age or older;
- 11 (2) who are inappropriately institutionalized or at risk of inappropriate

12 institutionalization; and (3) (A) who are recipients of Medicaid, (B)
13 who are eligible for Medicaid, (C) who would be eligible for Medicaid
14 if residing in a nursing facility, or (D) subject to the availability of
15 federal reimbursement, who meet the financial eligibility criteria for
16 the state-funded portion of the Connecticut home-care program for the
17 elderly, established pursuant to subsection (i) of section 17b-342 of the
18 general statutes. Services provided to any person under the
19 demonstration project shall provide the level of care medically
20 necessary to maintain such person in such person's home or
21 community, including, but not limited to, the provision of personal
22 care assistance services and twenty-four-hour care for any person who
23 requires such level of care. The project shall be structured so that the
24 net costs to the state are less than the net costs the state would have
25 incurred without the demonstration project. The commissioner shall
26 amend the state Medicaid plan and shall apply for any necessary
27 federal waiver, if such plan amendment or waiver is necessary to
28 implement the demonstration project. The commissioner shall submit,
29 no later than January 1, 2009, any application for any federal waiver to
30 the joint standing committee of the General Assembly having
31 cognizance of matters relating to human services and appropriations
32 and the budgets of state agencies, in accordance with section 17b-8 of
33 the general statutes. The commissioner shall, if necessary, modify any
34 existing Medicaid home or community-based waiver if such
35 modification is required to implement the demonstration project or
36 promotes the consolidation and efficient administration of existing
37 waivers or the demonstration project.

38 (b) The commissioner shall seek federal approval prior to
39 establishing the demonstration project and shall establish the
40 demonstration project only for persons for whom the state receives not
41 less than fifty per cent federal reimbursement under the demonstration
42 project.

43 (c) Not later than January 1, 2010, the Commissioner of Social
44 Services shall submit a report, in accordance with section 11-4a of the
45 general statutes, to the joint standing committee of the General

46 Assembly having cognizance of matters relating to human services on
47 the demonstration project.

48 (d) The commissioner shall adopt regulations, in accordance with
49 the provision of chapter 54 of the general statutes, to implement the
50 demonstration project.

51 Sec. 502. (NEW) (*Effective July 1, 2008*) (a) There is established within
52 the General Fund, a separate, nonlapsing account which shall be
53 known as the "Long-Term Care Reinvestment account". The account
54 shall contain any moneys required by law and this section to be
55 deposited in the account.

56 (b) The following funds shall be deposited in the account: (1) Any
57 funds resulting from the enhanced federal medical assistance
58 percentage received by the state under the Money Follows the Person
59 demonstration project pursuant to Section 6071 of the Deficit
60 Reduction Act of 2005; (2) any funds appropriated for Medicaid and
61 designated for the Money Follows the Person demonstration project by
62 the Department of Social Services that are not spent during the fiscal
63 year for which they are appropriated; (3) any funds appropriated to
64 the Department of Social Services from the General Fund for home and
65 community-based long-term care services that are not spent during the
66 fiscal year for which they are appropriated; (4) any fines or civil
67 penalties levied by the Department of Public Health on nursing home
68 facilities for violating applicable state laws and regulations; and (5) any
69 additional moneys received from any public or private sources for
70 purposes of long-term care.

71 (c) For each fiscal year ending June 30, 2009, to June 30, 2013,
72 inclusive, the Commissioner of Social Services shall identify and
73 quantify any gross savings realized through the implementation of the
74 Money Follows the Person demonstration project, established
75 pursuant to section 17b-369 of the 2008 supplement to the general
76 statutes, and the demonstration project, established pursuant to section
77 501 of this act. The Secretary of the Office of Policy and Management

78 shall certify the accuracy of such quantification. For each fiscal year
79 beginning July 1, 2009, to July 1, 2013, inclusive, one hundred per cent
80 of the unexpended savings realized during the preceding fiscal year
81 through the implementation of said projects shall not lapse and shall
82 accrue to the Department of Social Services and be deposited in the
83 account established under this section.

84 (d) Money held in the account shall be expended by the
85 Commissioner of Social Services, in accordance with this subsection
86 and the regulations adopted pursuant to subsection (e) of this section,
87 to:

88 (1) Provide funds for programs and services that provide cost-
89 effective home and community-based alternatives to institutional care
90 in nursing home facilities, including, but not limited to, occupational
91 therapy, homemaker services, companion services, meals on wheels,
92 adult day care, personal care services, transportation, mental health
93 counseling, care management, elderly foster care, minor home
94 modifications and assisted living services;

95 (2) Provide funds for rate increases (A) for home health agencies
96 and other providers of home care services that are in addition to any
97 rate increases authorized pursuant to sections 17b-242 and 17b-343 of
98 the general statutes to meet the actual costs of care, and (B) for
99 increased wages for transition coordinators under the Money Follows
100 the Person demonstration project;

101 (3) Provide funds to develop, improve and increase the long-term
102 care services workforce, including, but not limited to, training,
103 education and other incentives;

104 (4) Provide funds to improve information technology and systems
105 used to track costs and savings associated with the provision of home
106 and community-based services and to improve access to information
107 on long-term care programs and services for the elderly and disabled;

108 (5) Encourage the purchase of precertified long-term care insurance

109 through the Connecticut Partnership for Long-Term Care by covering
110 the costs of the premiums of individuals for six months;

111 (6) Pay the cost of relocating nursing home residents to other
112 facilities if necessary to protect the health and safety of such residents,
113 maintaining and operating a facility pending correction of deficiencies
114 or closure, and reimbursing residents for the loss of funds in personal
115 fund accounts pursuant to subsection (b) of section 17b-106 of the 2008
116 supplement to the general statutes;

117 (7) Provide rental or mortgage assistance to allow individuals to
118 remain in their homes while receiving home and community-based
119 services;

120 (8) Provide grants to existing nursing home facilities to make facility
121 changes, improvements and modifications to support home and
122 community-based services and programs; and

123 (9) Provide grants to promote the adoption of building designs and
124 principles of alternative nursing homes, such as Eden Alternative,
125 Green House or Small House nursing homes, to improve the quality of
126 life for long-term care facility residents.

127 (e) The Commissioner of Social Services shall adopt regulations, in
128 accordance with the provisions of chapter 54 of the general statutes, for
129 purposes of the distribution of funds pursuant to subsection (d) of this
130 section, including, but not limited to, application procedures and
131 establishment of eligibility criteria and requirements for recipients of
132 assistance.

133 (f) On or before January 1, 2009, and annually thereafter, the
134 Commissioner of Social Services shall submit a report, in accordance
135 with section 11-4a of the general statutes, to the Governor and the
136 General Assembly concerning the long-term care reinvestment account
137 established under this section. The report shall include financial
138 information concerning the money in the account, including, but not
139 limited to, information on the number, amount and type of

140 expenditures from the fund during the prior calendar year and
141 estimates of the impact of the fund on present and future Medicaid
142 expenditures."